

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, JULY 31, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 *Isbell v. City of San Diego, U.S.D.C.*
United States District Court No. 98CV0688

DCA assigned: B. Walters

This matter is an action filed by George Isabell Jr. and G&B Emporia Inc. challenging the City’s zoning ordinance for the location of Plaintiffs’ adult entertainment business. The City Attorney will brief the City Council on the status of the matter in closed session and request appropriate action including seeking direction on settlement of the case.

CS-2 *City of San Diego v. Callan, et al.*
San Diego Superior Court Case No. GIC852419

EACA assigned: D. McGrath

Request to approve prior contingent fee arrangement with the Law Firm of Stanford & Associates and for a deposit of money for expert fees.

CS-3 *City of San Diego v. Orrick Herrington & Sutcliffe, et al.*
SDSC Case No. GIC857632

EACA assigned: D. McGrath

The City Attorney will advise the City Council of the status of this matter and discuss potential settlement with defendant Calderon, Jaham & Osborn.

CS-4 *Aaron et al. v. Michael Aguirre, City of San Diego; et al.*
United States District Court Case No. 06CV1451JM

EACA assigned: D. McGrath

This is yet a third law suit filed by police officers against the City Attorney, the City of San Diego and a number of current and former City Council Members and employees. The City Attorney will discuss the substance of this lawsuit in closed session and request retention of outside counsel.

CS-5 *Settlement of Claims on Fire Stations Number 12 and 31 Projects*
Claim No. LP 0601201914

DCA assigned: M. Wright-Travis

This matter involves the construction of Fire stations numbers 12 and 31. The contractor filed a Government Code § 910 claim requesting monies for delay and extra work. In closed session the City Attorney will advise the City Council on the status of the matter and seek authority for settlement.

CS-6 *Howard DeYoung, et al. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 849647

DCA assigned: J. Riley

This matter involves allegations that the City violated a 1984 settlement agreement regarding preferential tee-times at the Torrey Pines Golf Course. In closed session the City Attorney will brief the Council on the status of matter.

CS-7 *Marcus R. Abbe, et al. v. City of San Diego, et al.*
United States District Court No. 05 CV 1629

EACA assigned: D. McGrath

This matter is a class action filed by numerous police officers alleging violations of the memorandum of understanding with the City of San Diego. In closed session the City Attorney will brief the Council on the status of the matter and request retention of outside counsel in the matter.

CS-8 *Mia Bonavita v. City of San Diego*
San Diego Superior Court Case No. GIC 852174

DCA assigned M. Severson

This matter involves a personal injury to plaintiff on city property. In closed session the City Attorney will give a report to the Council on the recent mediation and seek authority to offer settlement.

Conference with Labor Negotiator, pursuant to Government Code section 54957.6:

CS-9 Agency negotiator: Scott Chadwick, J. Rod Betts, Lisa Briggs, Rich Snapper,
Jessica Falk Michelli William Gersten, Joe Harris, Rick
Reynolds

Employee organizations: Municipal Employees Association, Local 145 International
Association of Firefighters AFL-CIO, San Diego Police
Officers Association, Deputy City Attorney Association,
AFSCME Local 127

DCA assigned: J. Falk Michelli

Discuss with Council the negotiations with all five labor unions (Municipal Employees Association, AFSCME Local 127, Police Officers Association, International Association of Firefighters Local 145, and the Deputy City Attorney's Association) regarding the implementing ordinances for the Mayor's Ballot proposals that would allow for the managed competition of certain City services and also require voter approval for enhancements to employee pension benefits.